

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

JOSHUA PADGETT,

Plaintiff,

v.

Case No. 3:20-cv-1112-J-34JRK

GRADING & BUSH HOG SERVICES,  
INC. and SCOTT GRIFFIN,

Defendants.

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**ORDER AND STIPULATED FINAL JUDGMENT**

**THIS CAUSE** is before the Court on the Report and Recommendation (Dkt. No. 16; Report) entered by the Honorable James R. Klindt, United States Magistrate Judge, on November 19, 2020. In the Report, Judge Klindt recommends that the Joint Motion to Approve Settlement and for Dismissal With Prejudice (Dkt. No. 8; Motion) be granted to the extent that the Court enter an Order and Stipulated Final Judgment approving the parties' settlement agreement and that the case be dismissed with prejudice. See Report at 5. Neither party objects to the Report. See Joint Notice of Having No Objection to Report & Recommendation (Dkt. No. 17).

The Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b). If no specific objections to findings of facts are filed, the district court is not required to conduct a de novo review of those findings. See Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993); see also 28 U.S.C. § 636(b)(1). However, the district court must review legal conclusions de novo. See Cooper-Houston v. Southern Ry. Co., 37 F.3d 603, 604 (11th

Cir. 1994); United States v. Rice, No. 2:07-mc-8-FtM-29SPC, 2007 WL 1428615, at \* 1 (M.D. Fla. May 14, 2007).

The Court has conducted an independent examination of the record in this case and a de novo review of the legal conclusions. Plaintiff filed suit against Defendants for overtime and minimum wage violations pursuant to the Fair Labor Standards Act, 29 U.S.C. § 201, et seq. (FLSA) and for minimum wage violations under Article X, § 24 of the Florida Constitution. See Complaint for Damages Jury Trial Demanded (Dkt. No. 1). Thereafter, the parties engaged in settlement negotiations, which resulted in a resolution of the issues and claims raised in this case. See Motion (Dkt. No. 8). Upon review of the record, including the Report, Motion, and Settlement Agreement, the undersigned concludes that the settlement represents a “reasonable and fair” resolution of Plaintiff’s claims. Accordingly, the Court will accept and adopt Judge Klindt’s Report.

In light of the foregoing, it is hereby

**ORDERED:**

1. The Report and Recommendation (Dkt. No. 16) is **ADOPTED** as the opinion of the Court.
2. The Joint Motion to Approve Settlement and for Dismissal With Prejudice (Dkt. No. 8) is **GRANTED** to the extent that the Court enters this Order and Stipulated Final Judgment.
3. For purposes of satisfying the FLSA, the Settlement Agreement (Dkt. No. 8-1) is **APPROVED**.
4. This case is **DISMISSED WITH PREJUDICE**.

5. The Clerk of the Court is directed to terminate any pending motions or deadlines as moot and close this file.

**DONE AND ORDERED** in Jacksonville, Florida this 24th day of November, 2020.

  
MARCIA MORALES HOWARD  
United States District Judge

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Copies to:

Counsel of Record